

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

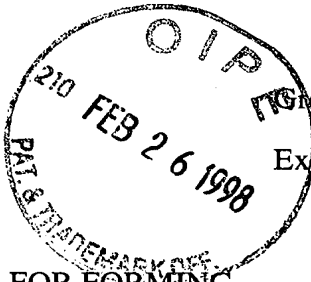
In re PATENT APPLICATION of

JOHNSON

Application No. 08/840,548

Filed: April 3, 1997

Title: METHOD AND APPARATUS FOR FORMING
A CENTERED BORE FOR THE FEMORAL
STEM OF A HIP PROSTHESIS



Group Art Unit: 3309

Examiner: TUCKER, G.

February 26, 1998

RESPONSE

Assistant Commissioner of
Patents & Trademarks
Washington, D.C. 20231

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GROUP 3300

Sir:

In response to the Office Action dated February 17, 1998, applicant requests that the Examiner reconsider and withdraw his latest rejection of claims 1, 2 and 4.

REMARKS

The Examiner now relies on the previously cited Patent 5, 013,318 - Spranza in rejecting claims 1, 4 and 5 as being anticipated. It is submitted, however, that the Spranza patent does not meet positive structure limitations of applicant's main claim 1. As a result, the claim is not anticipated by Spranza .

Referring to Spranza's column 3, lines 4-45, and column 4, lines 16-40, it is clear that whiskers 1a and 1b rotate about their principal axes as knob 6 is turned (see Fig. 2). As a result, the projecting tips of the whiskers are displaced between a "contracted" position, in which they don't protrude beyond the diameter of scale tube 3 (see column 3, lines 27-30), and an "expand" position in which they do protrude beyond the diameter of tube 3 (see column 3, lines 34-45 and Fig. 1). Thus, the tips of the whiskers are neither fixed nor non-